UNITED STATES DISTRICT COURT DISTRICT OF MASSACHUSETTS

2007 JAN 25 P 12: 09

Civil Action No. 05-1111562 RGS

U.S. DISTRICT COURT DISTRICT OF MASS

FRED ROHRBACKER

Plaintiff

VS.

HARBOR CRUISES, LLC,

Defendant

STIPULATION OF DISMISSAL WITH PREJUDICE

The parties in the above entitled action, pursuant to the provisions of Federal Rule of Civil Procedure 41(a)(1)(ii) hereby stipulate that said action be dismissed with prejudice, without costs or attorneys fees and waiving all rights of appeal.

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DATED: 1/24/27

DATED: //2 1/07

(ww-577\#190)